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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DANIEL STEVEN BERGEN,

Plaintiff,

v.

KILOLO KIJAKAZI,¹
Commissioner of Social Security
Defendant.

) Case No. 1:22-cv-00125-SKO

) STIPULATION AND ORDER FOR
) VOLUNTARY REMAND PURSUANT TO
) SENTENCE FOUR OF 42 U.S.C. § 405(g)

) (Doc. 15)

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision. On remand, the Commissioner will conduct any necessary further proceedings and issue a new decision. The parties further request

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

Dated: April 18, 2022

/s/Jonathan Omar Pena *
(*as authorized via e-mail on 4/7/22)
JONATHAN OMAR PENA
Attorney for Plaintiff

Dated: April 18, 2022

PHILLIP A. TALBERT
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By: /s/ Marcelo Illarmo
MARCELO ILLARMO
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Attorneys for Defendant

ORDER

Based upon the parties' Stipulation for Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) ("Stipulation to Remand") (Doc. 15), and for good cause shown,

IT IS HEREBY ORDERED that the above-captioned action is REMANDED to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of the Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff Daniel Steven Bergen and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and (2) administratively close this file.

IT IS SO ORDERED.

Dated: April 21, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE